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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,) No. CR-08-00040 JF
12)
Plaintiff,)
13)
vs.)
14)
DONALD RAY WILLIAMS,)
15)
Defendant.)
16)
_____)

17
18 I, Manuel U. Araujo, hereby declare:

19 1. I am an Assistant Federal Public Defender for the Northern District of California,
20 San Jose Division. My office has been appointed to represent defendant Donald Ray Williams in
21 the above-captioned case.

22 2. Mr. Williams is charged with the arson of a building affecting interstate or foreign
23 commerce, in violation of 18 U.S.C. § 844(i).

24 3. Based upon my personal observations of and interactions with Mr. Williams, as well
25 as information related to me by an investigator in my office regarding her interactions with Mr.
26 Williams, I am informed and believe that Mr. Williams may presently be suffering from a mental

1 disease or defect rendering him mentally incompetent to understand the nature and the
2 consequences of the proceedings against him or to assist in his defense.¹

3 4. I am informed and believe that having a competency examination of Mr. Williams
4 performed locally, rather than at a Bureau of Prisons medical facility, would be less disruptive,
5 and would allow for the examination to be conducted sooner and with less outlay of government
6 funds.

7 5. I am informed and believe that, pursuant to the CJA Guidelines, it is the policy in
8 this district for the government to pay for the defendant's competency examination.

9 6. For the reasons set forth above, it is respectfully requested that the Court order a
10 competency examination of Mr. Williams, to be conducted locally, and to be paid for by the
11 government.

12 I declare under penalty of perjury that the foregoing is true and correct, except for those
13 matters stated on information and belief, and as to those matters, I am informed and believe them
14 to be true.

15 Executed this 25th day of July, 2008, at San Jose, California.

16
17 _____/S/_____
18 MANUEL U. ARAUJO
19 Assistant Federal Public Defender
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23
24

25 _____
26 ¹To the extent that the Court requires more specific information, I would be happy to
provide such information *ex parte* and *in camera*.